THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.20411 of 1997

Dated:13.04.2007

Between

1.D.Hanumantha Reddy and others.

.....Petitioners

and

1.The Kovur Cooperative Sugar Factory Limited, rep., by its Managing Director TP Sivaram Prasad, Nellore.

...Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.20411 of 1997

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondent in not continuing the petitioners for off-seasonal jobs as per the settlements dated 23.7.1990 and 30.06.1995 respectively and consequently to direct the respondent to give effect to the settlements dated 23.7.1990 and 30.6.1995.

It appears that the petitioners have been working in the manufacturing section of the respondent-Sugar Factory from 1.9.1979 as permanent seasonal employees. In the year 1990, some of the seasonal employees of Manufacturing unit filed Writ Petition No.7258 of 1990 before this Court and this Court

granted interim direction on 22.5.1990 in WPMP No.9168 of 1990 directing the respondent to continue the petitioners therein in service until further orders. While that being so, a conciliation meeting was held with all the workers on 15.7.1990 to solve the problems of all the workers and the same was culminated in a settlement dated 23.7.1990 which was agreed and signed by all the members. As per the said settlement, they are entitled to continue as permanent seasonal workers. If the petitioners are not provided with employment as per Clause 1 and 2 of the settlement, they have to suffer irreparable loss. The sum and substance of the prayer is that the settlement entered into between the Union and the respondent-Management dated 23.7.1990 be given effect to.

There is no necessity of going into all the details.

It appears that the settlement dated 23.7.1990 was being given effect to year after

year. Under those circumstances, by an interim order dated 22.9.1997 in WPMP No.24789 of 1997, this Court directed the respondents to take necessary action in accordance with the decisions taken at the Minutes of Conciliation Meeting held on 23.7.1990 in the Joint Action Committee of the Management of Kovvur Cooperative Sugar Factory Limited, Kovvur, until further orders. The said order was not implemented. Hence, the petitioners, filed Contempt Case. It is submitted that subsequently, the petitioners have been engaged as per the settlement dated 23.07.1990.

In view of the same, no further orders are necessary in this writ petition and the same is liable to be closed.

Accordingly, writ petition is closed. No costs.

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13-4-2007

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